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10/068,914	02/07/2002	Brett A. Sneed	504576.053	9405

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EXAMINER

LONEY, DONALD J

ART UNIT	PAPER NUMBER
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1772

5

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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AS-5

## Office Action Summary

Application No.

10/068914

Applicant(s)

Sueel

Examiner

D. Loney

Group Art Unit

1772

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

- ☒ Responsive to communication(s) filed on 08/01/2003
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

- ☒ Claim(s) 1-21 is/are pending in the application.
- Of the above claim(s) 21 is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-20 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

### Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

Office Action Summary

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1. Applicant's election without traverse of Group I in Paper No. 4 is acknowledged.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by either Newland or Ballard.

Both references teach a mat with parallel ribs on the top surface, which would be considered parallel to the flap at opposed edges thereof. Refer to Fig. Nos. 2, and 4, showing ribs (22) that would be parallel to the edge flaps (i.e. border 16) on opposed sides of the parallel ribs in Newland. Refer to Fig. Nos. 1-3 and 7 in Ballard. Ballard also shows a mat with ribs (18,20), which would be parallel to their opposed edges, where in a thinner flap portion (146) is shown in Fig. No 7. This rejection is being made since the borders of the prior art read upon the claims and are equivalent to the flap (22) disclosed by the applicant, which is an extension of the mat (i.e. border at opposed ends) as shown in applicants figures that is thinner than the flap, while the border at the other end can be considered the overlapping portion (instant claims 16-19).

4. Claims 1, 2, 4-6, 7-12 and 14-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Betz.

Betz teaches a matt with parallel ribs (104 in Fig. N-S. 1 and 2, 102 in Fig. No. 4) wherein the thickness of the flangs (i.e. opposed edges 110, 112 in Fig. No. 3) would be about equal to the maximum thickness of the mat when overlapping (instant claim 20).

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5. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamamoto.

Yamamoto teaches a plastic article with parallel ribs (3) and a thinner flap portion (7) that extends from one end. Refer to Fig. Nos. 1, 2, 4 and 21-24 along with the corresponding text there to.

The references to Reuben, Smith and Wihksne are cited to show mats with thinner flange portions than the base portions.

Any inquiry concerning this communication should be directed to D. Loney at telephone number 703-308-2416.

D. Loney/lap

October 9, 2003



DONALD J. LONEY  
PRIMARY EXAMINER